

JOURNAL OF THE FLORIDA SENATE

Thursday, May 16, 1974

The Senate was called to order by the President Pro Tempore at 2:00 p.m. A quorum present—39:

Barron	Graham	Peterson	Sykes
Brantley	Gruber	Pettigrew	Trask
Childers	Henderson	Plante	Vogt
Deeb	Johnson	Poston	Ware
de la Parte	Johnston	Saunders	Weber
Firestone	Lane (31st)	Sayler	Williams
Gallen	Lane (23rd)	Scarborough	Wilson
Gillespie	Lewis	Sims	Winn
Glisson	McClain	Smathers	Zinkil
Gordon	Myers	Stolzenburg	

Excused: Senator Weber from 3:00 p.m. until 3:20 p.m. for the purpose of appearing before the House Committee on Natural Resources, and Senator Trask at 4:00 p.m. for the purpose of working on a conference committee report.

Prayer by Rev. Larry Hunt, Baptist Campus Ministry, Florida A. & M. University who was presented to the Senate by the Senate Chaplain:

Eternal God our father, we are so very grateful for this opportunity to talk with thee once again.

Dear God have mercy upon us this hour. As these great men and great minds set out upon their assigned tasks, be with them and let thy presence be found in their decision making.

Now dear God—lead us not into temptation but, rather Lord, lead us into the way of all truth. For we ask this in the name of God. Amen.

REPORTS OF COMMITTEES

The Committee on Rules and Calendar recommends that the following bills be placed on Special Order for Thursday, May 16, 1974, at 2:00 p.m.:

SB 722	SB 941	SB 173	SB 529
SB 724	SB 71	SB 138	SB 758
SB 485	HB 99	HB 2922	SB 817
SB 429	HB 3287	SB 643	HB 580
SB 362	SB 579	SB 828	SB 904

Respectfully submitted,
Dempsey J. Barron, Chairman

The Committee on Transportation recommends the following pass: SB 736

The bill was referred to the Committee on Ways and Means under the original reference.

The Committee on Agriculture recommends the following pass: CS for HB 2714

The Committee on Commerce recommends the following pass: SB 1016

The Committee on Commerce recommends the following pass:

SB 516	HB 2631	HB 2939
SB 689	CS for HB 2700	HB 3488
SB 734	HB 2745 with 2 amendments	HB 3489
SB 988	HB 2834 with 1 amendment	HB 3443

The Committee on Governmental Operations recommends the following pass:

SB 318 with 1 amendment SB 1007

The Committee on Judiciary recommends the following pass:

SB 853 with 2 amendments	HB 3641
HB 530 (cs) with 1 amendment	HB 3675
	HB 3667
HB 933	HB 3777 with 1 amendment
HB 3551	

The Committee on Natural Resources and Conservation recommends the following pass:

SB 124 with 1 amendment SB 1059 with 2 amendments

The Committee on Transportation recommends the following pass:

HB 1485 (cs) with 5 amendments	HB 1878 (cs)
HB 2101 with 4 amendments	HB 3248 with 1 amendment
	SB 396 with 7 amendments

The Committee on Ways and Means recommends the following pass:

SB 88 with 2 amendments	SB 636 with 3 amendments
SB 90	SB 677
SB 329 with 1 amendment	SB 839
SB 353	HB 210
SB 422	HB 549
SB 431 with 2 amendments	HB 1975
SB 458	HB 3397

The bills contained in the foregoing reports were placed on the calendar.

The Committee on Natural Resources and Conservation recommends a Committee Substitute for the following: SB 504

The bill with Committee Substitute attached was referred to the Committee on Ways and Means under the original reference.

The Committee on Commerce recommends a Committee Substitute for the following: SB 860

The Committee on Commerce recommends a Committee Substitute for the following: SB 968

The Committee on Commerce recommends a Committee Substitute for the following: SB 1011

The Committee on Transportation recommends a Committee Substitute for the following: SB 997 SB 1002

The Committee on Ways and Means recommends a Committee Substitute for the following: SB 295

The Committee on Ways and Means recommends a Committee Substitute for the following: CS for SB 364

The bills with Committee Substitutes attached contained in the foregoing reports were placed on the calendar.

The Committee on Commerce recommends the following not pass:

SB 438	SB 440	CS for HB 3056
SB 439	SB 441	

The Committee on Judiciary recommends the following not pass: SB 753 HB 255 (cs)

The bills contained in the foregoing reports were laid on the table.

ENGROSSING REPORTS

Your Engrossing Clerk to whom was referred—

CS for SB 492 with 7 amendments
CS for SJR 730 with 4 amendments

—reports that the Senate amendments have been incorporated and the bills are returned herewith.

JOE BROWN, Secretary

The bills were certified to the House.

ENROLLING REPORTS

Your Enrolling Clerk to whom was referred Senate Bills 683 and 212 reports same have been enrolled, signed by the required Constitutional officers and presented to the Governor on May 15, 1974.

JOE BROWN, Secretary

Your Enrolling Clerk to whom was referred SCR 661 and SM 437 reports same have been enrolled, signed by the required Constitutional officers and presented to the Secretary of State on May 15, 1974.

JOE BROWN, Secretary

Your Enrolling Clerk to whom was referred SB 587 reports same has been enrolled, signed by the required Constitutional officers and presented to the Governor on May 16, 1974.

JOE BROWN, Secretary

MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Scarborough, CS for HB 2799 was withdrawn from the Committee on Judiciary by two-thirds vote.

On motion by Senator Brantley, HB 732 was withdrawn from the Committee on Commerce by two-thirds vote and placed on the calendar.

Pursuant to Rule 4.6, a point of order was raised by Senator Myers and SB 897 was also referred to the Committee on Ways and Means.

COMMITTEE REQUESTS FOR EXTENSION OF TIME

The Committee on Commerce requests an extension of 10 days for the consideration of the following:

SB 790 by Senator Winn	SB 615 by Senator Glisson
SB 791 by Senator Winn	SB 623 by Senator Johnson
SB 806 by Senator Plante	SB 680 by Senator Trask
SB 845 by Senator Johnson	SB 740 by Senator Johnson
SB 858 by Senator Henderson	SB 751 by Senator Trask
	SB 757 by Senator Brantley
SB 864 by Senators Brantley and Horne	SB 762 by Senator Deeb
	SB 767 by Senator Firestone
SB 880 by Senator Peterson	SB 773 by Senator Lane
CS for HB 217 by General Legislation Committee	SB 776 by Senator Deeb
	SB 781 by Senator Trask
HB 732 by Representative Tillman	SB 5 by Senator Zinkil
HB 866 by Representative Crabtree	SB 72 by Senator Zinkil
	SB 151 by Senator Lane
HB 869 by Representative Crabtree	SB 152 by Senator Lane
	(31st)
HB 872 by Representative Crabtree	SB 164 by Senator Henderson
	(31st)
HB 874 by Representative Crabtree	SB 169 by Senator Lane
	(31st)
HB 881 by Representative Crabtree	SB 170 by Senator Gordon
HB 1024 by Representative Forbes	SJR 179 by Senator Gillespie
	SB 191 by Senator Johnson
HB 1697 by Representative Dubbin	SB 198 by Senator Lewis
	SB 214 by Senator Gordon
HB 2595 by Finance and Taxation Committee	SB 272 by Senator Vogt
	SB 344 by Senator Gordon
SB 448 by Senator McClain	SB 355 by Senator Gordon
SB 456 by Senator Weber	SB 356 by Senator Graham
SB 457 by Senator Weber	SB 359 by Senator Deeb
SB 521 by Senator Gordon	SB 373 by Senator Graham
SB 528 by Senator Glisson	SB 378 by Senator Johnson
SB 597 by Senator Deeb	SB 388 by Senator Deeb
SB 613 by Senator Scarborough	SB 402 by Senator Deeb
	SB 407 by Senator Plante
	SB 424 by Senator Gruber
	SB 434 by Senator Johnson

The Committee on Governmental Operations requests an extension of 10 days for the consideration of the following:

SB 584 by Senator Johnson	SB 591 by Senators Johnson and Zinkil
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SB 592 by Senator Glisson	SB 1042 by Senator Graham
SB 654 by Senator Wilson	SB 1045 by Senator Wilson
SB 670 by Senators Zinkil and Johnson	SB 1046 by Senator McClain
SB 899 by Senator Smathers	SB 1053 by Senator Graham
	SB 1078 by Senator Graham
	SB 1080 by Senator Graham
SB 919 by Senator McClain	HB 352 by Governmental Operations Committee
SB 927 by Senator Deeb	
SB 938 by Senator Williams	HB 1542 by Governmental Operations Committee
SB 942 by Senator Sims	
SB 960 by Senator Poston	HB 1543 by Appropriations Committee
SB 1000 by Senator Graham	
SB 1007 by Senator Graham	HB 2622 by Military and Veterans Affairs Select Committee
SB 1008 by Senator Lane	
(31st)	
SB 1010 by Senator Scarborough	HB 1343 by Representative Brown, et al
SB 1024 by Senator Graham	HB 3120 by Representative James
SB 1025 by Senator Graham	
SB 1037 by Senator Glisson	
SB 1041 by Senator Williams	

The Committee on Judiciary requests an extension of 10 days for the consideration of the following:

SB 107 by Senator Sykes	HB 2796 by Rep. Forbes
SB 647 by Senator Brantley	HB 1936 by House Elections Committee
SB 1039 by Senator Johnson	

The Committee on Rules and Calendar requests an extension of 10 days for the consideration of the following:

SB 199 by Senator Deeb	HB 2346 by Representative Danahy
SB 746 by Senator Zinkil	
CS for HB's 2672, 2434, 2583,	
by Governmental Operations Committee	

EXECUTIVE BUSINESS

By direction of the President Pro Tempore, the following communication and reports were read:

Honorable Mallory E. Horne
President, The Florida Senate
The Capitol
May 16, 1974

Dear Mr. President:

This is to advise that I have appointed Dr. Mark D. Hollis as a member of the Pollution Control Board to serve during the pleasure of the Governor. Attached is his questionnaire for executive appointment.

It would be appreciated if the Senate would take up the confirmation of this appointment during the current session of the Florida Legislature.

Sincerely,
REUBIN ASKEW
Governor

Which was referred to the Committee on Natural Resources and Conservation.

Senator Mallory E. Horne
President, The Florida Senate
The Capitol
May 15, 1974

Dear Mr. President:

Your standing Committee on Education to whom were referred for inquiry and recommendation the following appointments subject to confirmation by the Senate:

NAME	OFFICE	FOR TERM ENDING
Marshall M. Criser	Member, Board of Regents	January 1, 1983
Chester H. Ferguson	Member, Board of Regents	January 1, 1979

—having met, and after full inquiry, hereby tenders as the recommendation of this Committee that the Senate do advise

and consent, and approve the aforesaid appointments made by the Governor.

Respectfully submitted:
D. ROBERT GRAHAM,
Chairman
JACK D. GORDON,
Vice Chairman
JIM GLISSON
DAVID C. LANE

PHILIP D. LEWIS
CURTIS PETERSON
RICHARD A. PETTIGREW
KENNETH A. PLANTE
BOB SAUNDERS
BRUCE SMATHERS

On motion by Senator Gordon, the report of the committee was adopted, and the Senate in open session approved and confirmed the appointments set forth in the foregoing report. The vote was:

Yeas—30

Barron	Graham	Peterson	Vogt
Childers	Gruber	Plante	Ware
de la Parte	Henderson	Poston	Weber
Firestone	Lane (31st)	Saunders	Williams
Gallen	Lane (23rd)	Sayler	Winn
Gillespie	Lewis	Scarborough	Zinkil
Glisson	McClain	Sims	
Gordon	Myers	Smathers	

Nays—None

By unanimous consent Senators Brantley, Deeb, Pettigrew and Wilson were recorded as voting yea.

Honorable Mallory E. Horne
President, The Florida Senate

May 16, 1974

Dear Mr. President:

Your Standing Committee on Governmental Operations, to whom were referred for inquiry and recommendation the following appointments subject to confirmation by the Senate:

NAME	OFFICE	FOR TERM ENDING
Robert R. Feagin Jacksonville	Member, Historic St. Augustine Pres- ervation Board of Trustees	January 14, 1978
James Wesley Matthews Miami Lakes	Member, Florida Elections Com- mission	December 10, 1975

—having met, and after full inquiry, hereby tenders as the recommendation of this Committee that the Senate do advise and consent, and approve the aforesaid appointments made by the Governor.

Respectfully submitted,
J. H. WILLIAMS,
Chairman
DEMPSEY J. BARRON
GEORGE FIRESTONE
HENRY SAYLER
JOHN T. WARE
WILLIAM ZINKIL

RICHARD A. PETTIGREW,
Vice Chairman
RICHARD J. DEEB
KENNETH PLANTE
BRUCE SMATHERS
LORI WILSON

On motion by Senator Williams, the report of the committee was adopted, and the Senate in open session approved and confirmed the appointments set forth in the foregoing report. The vote was:

Yeas—30

Barron	Graham	Peterson	Vogt
Childers	Gruber	Plante	Ware
de la Parte	Henderson	Poston	Weber
Firestone	Lane (31st)	Saunders	Williams
Gallen	Lane (23rd)	Sayler	Winn
Gillespie	Lewis	Scarborough	Zinkil
Glisson	McClain	Sims	
Gordon	Myers	Smathers	

Nays—None

By unanimous consent Senators Brantley, Deeb, Pettigrew and Wilson were recorded as voting yea.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Mallory E. Horne, President May 15, 1974

I am directed to inform the Senate that the House of Representatives has adopted—

SCR 1086

SCR 1085

Allen Morris, Clerk

The Honorable Mallory E. Horne, President May 15, 1974

I am directed to inform the Senate that the House of Representatives has adopted SCR 784.

Allen Morris, Clerk

The bills contained in the above messages were ordered enrolled.

The Honorable Mallory E. Horne, President May 16, 1974

I am directed to inform the Senate that the House of Representatives has concurred in Senate amendments and passed as amended—

CS for HB 2531

HB 3245

Allen Morris, Clerk

The Honorable Mallory E. Horne, President May 15, 1974

I am directed to inform the Senate that the House of Representatives has refused to concur in Senate Amendment 1 to CS for HB 3734 and requests the Senate to recede.

(amendment attached)

By the Committee on Judiciary and Representative Sackett and others—

CS for HB 3734—A bill to be entitled An act relating to landlord and tenant; adding subsection (5) to §83.49, Florida Statutes; providing for tenants to give notice prior to vacating or abandoning the premises; providing that failure to give such notice relieves the landlord of his duty under §83.49(3)(a), Florida Statutes; providing an effective date.

Allen Morris, Clerk

Amendment 1—On page 1, line 24, strike "certified"

On motion by Senator Sims, the Senate receded from Senate Amendment 1 to CS for HB 3734.

CS for HB 3734 passed and was certified to the House. The vote was:

Yeas—33

Deeb	Henderson	Plante	Trask
de la Parte	Johnson	Poston	Vogt
Firestone	Lane (31st)	Saunders	Weber
Gallen	Lane (23rd)	Sayler	Williams
Gillespie	Lewis	Scarborough	Winn
Glisson	McClain	Sims	Zinkil
Gordon	Myers	Smathers	
Graham	Peterson	Stolzenburg	
Gruber	Pettigrew	Sykes	

Nays—None

The Honorable Mallory E. Horne, President May 16, 1974

I am directed to inform the Senate that the House of Representatives has refused to concur in Senate Amendments 1 and 2 to HB 1135 and requests the Senate to recede.

By Representative Andrews and others—

HB 1135—A bill to be entitled An act relating to insurance; amending §627.419(3), Florida Statutes, 1972 Supplement, as amended, to provide that podiatrists be paid from the proceeds of medical policies, if the procedures performed are within the scope of their professional license; providing an effective date.

(amendments attached)

Allen Morris, Clerk

Amendment 1—On page 1, line 13, strike everything after the enacting clause and insert:

Section 1. Subsection (4) is added to Section 627.419, Florida Statutes, to read:

627.419 Construction of policies.—

(4) If the insurer offers a policy containing a provision for medical expense benefits that does not provide payment for podiatric services, it shall offer as a part thereof an optional rider or endorsement, if specifically requested by the insurance purchaser, which defines such benefits as including payment to a podiatrist for procedures specified in the policy which are within the scope as now defined in Chapter 460, Florida Statutes. Any additional cost to the insured must be reasonably related to benefits provided.

Section 2. This act shall take effect October 1, 1974.

Amendment 2—On page 1, lines 3—9, strike all of lines 3 through 9 and insert:

A bill to be entitled An act relating to insurance contracts; adding subsection (4) to §627.419, Florida Statutes, to require an insurer to offer an optional rider or endorsement upon request to provide payment for podiatric services; providing an effective date.

Senator Glisson moved that the Senate recede from Senate Amendments 1 and 2 to HB 1135. The motion was adopted by the following vote:

Yeas—20

Childers	Glisson	Poston	Vogt
Deeb	Gordon	Saunders	Ware
de la Parte	Johnston	Sims	Williams
Firestone	Pettigrew	Smathers	Winn
Gillespie	Plante	Trask	Zinkil

Nays—15

Barron	Henderson	Lewis	Saylor
Gallen	Johnson	McClain	Stolzenburg
Graham	Lane (31st)	Myers	Sykes
Gruber	Lane (23rd)	Peterson	

HB 1135 passed and was certified to the House. The vote was:

Yeas—34

Barron	Graham	Myers	Sykes
Childers	Gruber	Peterson	Trask
Deeb	Henderson	Pettigrew	Vogt
de la Parte	Johnson	Plante	Ware
Firestone	Johnston	Poston	Williams
Gallen	Lane (31st)	Saunders	Winn
Gillespie	Lane (23rd)	Sims	Zinkil
Glisson	Lewis	Smathers	
Gordon	McClain	Stolzenburg	

Nays—None

The Honorable Mallory E. Horne, President

May 15, 1974

I am directed to inform the Senate that the House of Representatives has passed with amendments—

By Senator Poston—

SB 470—A bill to be entitled An act relating to special elections; amending §100.111(1), Florida Statutes; providing that

the dates fixed by the governor for special primaries and special elections be specific and not conditional or alternative; providing an effective date.

(amendments attached)

—and requests the concurrence of the Senate.

Allen Morris, Clerk

Amendment (1)—On page 1, line 27, strike

This act shall take effect upon becoming law.

and insert the following: after Section 2

Section 100.102, Florida Statutes, 1973, is created to read:

100.102 Cost of special elections to be incurred by the state.—Whenever any special election shall be held as required in §100.101, each county incurring expenses resulting from such special election shall be reimbursed by the state. Reimbursement shall be based upon actual expenses as filed by the supervisor of elections with the county governing body. The department of state shall verify expenses of special elections and authorize payment for reimbursement to each county affected.

Section 3: Notwithstanding the provisions of chapter 215 F.S. There is hereby appropriated from the Working Capital Fund the amounts sufficient for reimbursement to each county as authorized in section 2 above. Amounts reimbursed to counties may be replenished to the Working Capital Fund by the legislature.

Section 4: This act shall take effect upon becoming law.

Senator Plante moved the following amendment to House amendment 1 which was adopted:

Amendment 1a—On page 1, strike all Section 3 and renumber

The Senate concurred in House amendment 1 as amended.

Amendment (2)

On page 1 in title, line 8, insert after "alternative;": creating §100.102, F.S., providing for state reimbursement of counties for expenses incurred for special elections held pursuant to section 100.101;

On motion by Senator Poston, the Senate concurred in House amendment 2 to SB 470.

SB 470 passed as further amended, and the action, with bill and amendment, was certified to the House. The vote was:

Yeas—32

Barron	Gordon	McClain	Smathers
Childers	Graham	Myers	Stolzenburg
Deeb	Gruber	Peterson	Sykes
de la Parte	Henderson	Pettigrew	Trask
Firestone	Johnston	Poston	Vogt
Gallen	Lane (31st)	Saunders	Ware
Gillespie	Lane (23rd)	Scarborough	Wilson
Glisson	Lewis	Sims	Winn

Nays—None

By unanimous consent Senator Weber was recorded as voting yea.

Senator Barron moved that the rules be waived and the following bill be admitted for introduction notwithstanding the fact that the deadline for filing bills pursuant to Rule 4.4 had passed:

A bill to be entitled An act making appropriations; providing moneys for the annual period beginning July 1, 1974 and ending June 30, 1975, to pay salaries, other expenses, capital outlay-buildings and improvements, and for other specified purposes of the various agencies of state government; suspending sections 216.262, 216.292, 216.301(2), 27.34(1), and 215.32(2)(c), F.S.; providing an effective date.

The motion was referred to the Committee on Rules and Calendar.

On motion by Senator Barron, the Senate stood in informal recess at 3:05 p.m. in order that the Committee on Rules and Calendar could meet.

The Senate was called to order at 3:15 p.m. A quorum present.

By permission the following report was received:

Pursuant to Senate Rule 4.4, the Committee on Rules and Calendar recommends the existence of an emergency reasonably compelling consideration by the Senate of the bill by the Committee on Ways and Means relating to appropriations.

Dempsey J. Barron, Chairman
Committee on Rules and Calendar

On motion by Senator Barron, by two-thirds vote the Senate reverted to—

INTRODUCTION

The following measures were read the first time by title and referred to committee(s) as indicated:

By the Committee on Ways and Means—

SB 1100—A bill to be entitled An act making appropriations; providing moneys for the annual period beginning July 1, 1974 and ending June 30, 1975, to pay salaries, other expenses, capital outlay-buildings and improvements, and for other specified purposes of the various agencies of state government; suspending sections 216.262, 216.292, 216.301(2), 27.34(1), and 215.32(2)(c), F.S.; providing an effective date.

On motion by Senator Barron, by two thirds vote SB 1100 was placed on the calendar.

By Senators Saylor, Ware and Deeb—

SB 1101—A bill to be entitled An Act relating to Pinellas County; providing for ordinances relating to the control of all dogs, cats and other domesticated animals; providing that all special acts relating to dogs, cats and other domesticated animals shall become county ordinances; prohibiting the enactment of conflicting city ordinances; providing an effective date.

Evidence of notice and publication was established by the Senate as to SB 1101.

—to Rules and Calendar.

By Senators Williams, Horne, de la Parte, Henderson, Childers, Lewis, Saunders, Scarborough, Trask, Ware, Zinkil, Smathers, Pettigrew, Deeb, Firestone, Vogt, Glisson, Wilson, Poston, Gillespie, Barron, Gordon, Brantley, Winn, Johnson, Peterson, Stolzenburg, Lane (23rd), Saylor, Graham and Plante—

SB 1102—A bill to be entitled An act relating to security; amending §20.22(2) (f) and (g), Florida Statutes, adding paragraph (h) to said subsection; establishing the division of security of the department of general services; creating part IV, chapter 287, Florida Statutes; providing powers and duties; providing for employment of security agents, guards and other personnel; limiting investigations; providing for arrests; providing for ex officio security agents; authorizing contracts with local governments; providing for equipment; requiring bonds of officers and security agents; creating a security trust fund; providing for rules and regulations; providing a penalty; transferring personnel and equipment to the division; providing severability; repealing §§272.13, 272.14 and 272.15, Florida Statutes, relating to the security of the capitol center area; providing an effective date.

—to calendar.

By Senator Gillespie—

SB 1103—A bill to be entitled An act relating to the Halifax hospital district, Volusia County; amending §8, chapter 11272, Laws of Florida, 1925, as amended; authorizing the board of commissioners of the Halifax hospital district to issue and sell bonds in an amount not to exceed six million two hundred thou-

sand dollars (\$6,200,000.00) for certain purposes; providing bonds may be revenue bonds or bonds pledging the full faith and credit of said district; providing for a referendum; providing an effective date.

Evidence of notice and publication was established by the Senate as to SB 1103.

—to Rules and Calendar.

The Senate resumed Messages from the House of Representatives.

The Honorable Mallory E. Horne, President May 14, 1974

I am directed to inform the Senate that the House of Representatives has passed as amended by the required Constitutional 3/5th vote of the membership of the House HJR 3911 and requests the concurrence of the Senate.

Allen Morris, Clerk

By the Committee on Judiciary—

HJR 3911—A joint resolution proposing an amendment to section 12 of Article V of the State Constitution relating to the judicial qualifications commission; providing that the commission shall have the power to investigate and recommend removal or a reprimand of any justice or judge whose conduct, during term of office or otherwise occurring on or after November 1, 1966, demonstrates a present unfitness to hold office; providing that the commission shall adopt rules which may be repealed by a majority vote of the membership of each house of the legislature, or by the supreme court, five justices concurring; providing that the commission may by majority vote recommend the temporary suspension of any justice or judge against whom formal charges are pending; providing that if the supreme court suspends, all proceedings shall be public, otherwise all proceedings shall be confidential until a recommendation is filed by the commission; providing that the commission shall have access to all information from all executive, legislative and judicial agencies, including grand juries; providing that the commission shall make available information for use in consideration of impeachment or suspension.

—was read the first time by title and placed on the calendar.

On motions by Senator Myers, unanimous consent was obtained to take up out of order HJR 3911 which, by two-thirds vote, was read the second time.

Senator Myers moved the following amendment:

Amendment 1—On page 2, line 6, strike everything after the resolving clause and insert: That the amendment to section 12 of Article V of the State Constitution set forth below is agreed to and shall be submitted to the electors of Florida for approval or rejection at the general election to be held in November, 1974:

Article V

Section 12. DISCIPLINE; REMOVAL AND RETIREMENT.—

~~(a) There shall be a judicial qualifications commission composed of:~~

(a) There shall be a judicial qualifications commission vested with jurisdiction to investigate and recommend to the Supreme Court of Florida the removal from office of any justice or judge whose conduct, during term of office or otherwise occurring on or after November 1, 1966, (without regard to the effective date of this section) demonstrates a present unfitness to hold office, and to investigate and recommend the reprimand of a justice or judge whose conduct, during term of office or otherwise occurring on or after November 1, 1966 (without regard to the effective date of this section), warrants such a reprimand. The commission shall be composed of:

(1) Two judges of district courts of appeal selected by the judges of those courts, two circuit judges selected by the judges of the circuit court and two judges of county courts selected by the judges of those courts;

(2) Two electors who reside in the state, who are members of the bar of Florida, and who shall be chosen by the governing body of the bar of Florida; and

(3) Five electors who reside in the state, who have never held judicial office or been members of the bar of Florida, and who shall be appointed by the governor.

(b) The members of the judicial qualifications commission shall serve staggered terms, not to exceed six years, as prescribed by general law. No member of the commission except a justice or judge shall be eligible for state judicial office so long as he is a member of the commission and for a period of two years thereafter. No member of the commission shall hold office in a political party or participate in any campaign for judicial office or hold public office; provided that a judge may participate in his own campaign for judicial office and hold that office. The commission shall elect one of its members as its chairman.

~~(c) The supreme court shall adopt rules regulating proceedings of the commission, the filling of vacancies by the appointing authorities and the temporary replacement of disqualified or incapacitated members. After a recommendation of removal of any justice or judge, the record of the proceedings before the commission shall be made public.~~

(c) The commission shall adopt rules regulating its proceedings, the filling of vacancies by the appointing authorities, the disqualification of members, and the temporary replacement of disqualified or incapacitated members. The commission's rules, or any part thereof, may be repealed by general law enacted by majority vote of the membership of each house of the legislature, or by the supreme court, five justices concurring. After a recommendation of removal or public reprimand of any justice or judge, the record of the proceedings before the commission shall be made public. The commission may by a two-thirds vote recommend to the supreme court the temporary suspensions of any justice or judge against whom formal charges are pending and in the event the supreme court suspends such justice or judge all proceedings before the commission and all hearings shall be public. Otherwise, all proceedings before the commission shall be confidential until a recommendation is filed with the clerk of the supreme court recommending removal or public reprimand at which time such proceedings shall become public record.

(d) The commission shall have access to all information from all executive, legislative and judicial agencies, subject to the rules of the commission. On request of the speaker of the house of representatives or the governor, the commission shall make available information for use in consideration of impeachment or suspension, respectively.

~~(e)~~ (e) Upon recommendation of two-thirds of the members of the judicial qualifications commission, the supreme court may order that the justice or judge be disciplined by appropriate reprimand, or be removed from office with termination of compensation for willful or persistent failure to perform his duties or for other conduct unbecoming a member of the judiciary, or be involuntarily retired for any permanent disability that seriously interferes with the performance of his duties. After the filing of a formal proceeding and upon request of the commission, the supreme court may suspend the justice or judge from office, with or without compensation, pending final determination of the inquiry.

~~(e)~~ (f) The power of removal conferred by this section shall be both alternative and cumulative to the power of impeachment and to the power of suspension by the governor and removal by the senate.

SCHEDULE

The existing judicial qualifications commission shall exercise the additional jurisdiction, powers and duties provided herein. The terms of office of the present members of the judicial qualifications commission shall not be affected by this amendment.

Be It Further Resolved that in accordance with the requirements of section 101.161, Florida Statutes, the substance of the amendment proposed herein shall appear on the ballot as follows:

An amendment to section 12 of Article V of the State Constitution to permit the judicial qualifications commission to investigate and recommend to the supreme court the removal or reprimand of any justice or judge whose con-

duct, during term of office or otherwise occurring on or after November 1, 1966, demonstrates a present unfitness to hold office or warrants a reprimand, to permit the commission to adopt rules regulating its proceedings which rules may be repealed by general law enacted by majority vote of the membership of each house of the legislature, or by the supreme court, five justices concurring, to require all proceedings before the commission to be confidential until a recommendation is filed by the commission or unless the supreme court suspends a justice or judge as recommended by a majority vote of the commission, then all proceedings shall be public, further permitting the commission access to all information from all executive, legislative, and judicial agencies, and requiring the commission to make available information for use in consideration of impeachment or suspension when requested by the speaker of the house of representatives or the governor, respectively.

Senator Myers moved the following amendment to Amendment 1 which was adopted:

Amendment 1a—On page 5, line 12, strike "majority" and insert: two-thirds

Amendment 1 as amended was adopted.

Senator Myers moved the following amendment which was adopted:

Amendment 2—On page 1, line 3, strike the title and insert:

Senate Joint Resolution

A joint resolution proposing an amendment to section 12 of Article V of the State Constitution relating to the judicial qualifications commission; providing that the commission shall have the power to investigate and recommend removal or a reprimand of any justice or judge whose conduct, during term of office or otherwise occurring on or after November 1, 1966, demonstrates a present unfitness to hold office; providing that the commission shall adopt rules which may be repealed by a majority vote of the membership of each house of the legislature, or by the supreme court, five justices concurring; providing that the commission may by two-thirds vote recommend the temporary suspension of any justice or judge against whom formal charges are pending; providing that if the supreme court suspends, all proceedings shall be public, otherwise all proceedings shall be confidential until a recommendation is filed by the commission; providing that the commission shall have access to all information from all executive, legislative and judicial agencies; providing that the commission shall make available information for use in consideration of impeachment or suspension.

Senator Deeb moved the following amendment which failed:

Amendment 3—On page 1, line 4, strike "general" and insert: first primary

On motion by Senator Myers, by two-thirds vote HJR 3911 as amended was read the third time in full as follows:

A joint resolution proposing an amendment to section 12 of Article V of the State Constitution relating to the judicial qualifications commission; providing that the commission shall have the power to investigate and recommend removal or a reprimand of any justice or judge whose conduct, during term of office or otherwise occurring on or after November 1, 1966, demonstrates a present unfitness to hold office; providing that the commission shall adopt rules which may be repealed by a majority vote of the membership of each house of the legislature, or by the supreme court, five justices concurring; providing that the commission may by two-thirds vote recommend the temporary suspension of any justice or judge against whom formal charges are pending; providing that if the supreme court suspends, all proceedings shall be public, otherwise all proceedings shall be confidential until a recommendation is filed by the commission; providing that the commission shall have access to all information from all executive, legislative and judicial agencies; providing that the commission shall make available information for use in consideration of impeachment or suspension.

Be It Resolved by the Legislature of the State of Florida:

That the amendment to section 12 of Article V of the State Constitution set forth below is agreed to and shall be submitted

to the electors of Florida for approval or rejection at the general election to be held in November, 1974:

Article V

Section 12. DISCIPLINE; REMOVAL AND RETIREMENT.—

~~(a) There shall be a judicial qualifications commission composed of:~~

(a) *There shall be a judicial qualifications commission vested with jurisdiction to investigate and recommend to the Supreme Court of Florida the removal from office of any justice or judge whose conduct, during term of office or otherwise occurring on or after November 1, 1966, (without regard to the effective date of this section) demonstrates a present unfitness to hold office, and to investigate and recommend the reprimand of a justice or judge whose conduct, during term of office or otherwise occurring on or after November 1, 1966 (without regard to the effective date of this section), warrants such a reprimand. The commission shall be composed of:*

(1) Two judges of district courts of appeal selected by the judges of those courts, two circuit judges selected by the judges of the circuit court and two judges of county courts selected by the judges of those courts;

(2) Two electors who reside in the state, who are members of the bar of Florida, and who shall be chosen by the governing body of the bar of Florida; and

(3) Five electors who reside in the state, who have never held judicial office or been members of the bar of Florida, and who shall be appointed by the governor.

(b) The members of the judicial qualifications commission shall serve staggered terms, not to exceed six years, as prescribed by general law. No member of the commission except a justice or judge shall be eligible for state judicial office so long as he is a member of the commission and for a period of two years thereafter. No member of the commission shall hold office in a political party or participate in any campaign for judicial office or hold public office; provided that a judge may participate in his own campaign for judicial office and hold that office. The commission shall elect one of its members as its chairman.

~~(c) The supreme court shall adopt rules regulating proceedings of the commission, the filling of vacancies by the appointing authorities and the temporary replacement of disqualified or incapacitated members. After a recommendation of removal of any justice or judge, the record of the proceedings before the commission shall be made public.~~

(c) *The commission shall adopt rules regulating its proceedings, the filling of vacancies by the appointing authorities, the disqualification of members, and the temporary replacement of disqualified or incapacitated members. The commission's rules, or any part thereof, may be repealed by general law enacted by majority vote of the membership of each house of the legislature, or by the Supreme court, five justices concurring. After a recommendation of removal or public reprimand of any justice or judge, the record of the proceedings before the commission shall be made public. The commission may by a two-thirds vote recommend to the supreme court the temporary suspension of any justice or judge against whom formal charges are pending and in the event the supreme court suspends such justice or judge all proceedings before the commission and all hearings shall be public. Otherwise, all proceedings before the commission shall be confidential until a recommendation is filed with the clerk of the supreme court recommending removal or public reprimand at which time such proceedings shall become public record.*

(d) *The commission shall have access to all information from all executive, legislative and judicial agencies, subject to the rules of the commission. On request of the speaker of the house of representatives or the governor, the commission shall make available information for use in consideration of impeachment or suspension, respectively.*

~~(d) (e)~~ (e) Upon recommendation of two-thirds of the members of the judicial qualifications commission, the supreme court may order that the justice or judge be disciplined by appropriate reprimand, or be removed from office with termination of compensation for willful or persistent failure to perform his

duties or for other conduct unbecoming a member of the judiciary, or be involuntarily retired for any permanent disability that seriously interferes with the performance of his duties. After the filing of a formal proceeding and upon request of the commission, the supreme court may suspend the justice or judge from office, with or without compensation, pending final determination of the inquiry.

~~(e) (f)~~ (f) The power of removal conferred by this section shall be both alternative and cumulative to the power of impeachment and to the power of suspension by the governor and removal by the senate.

SCHEDULE

The existing judicial qualifications commission shall exercise the additional jurisdiction, powers and duties provided herein. The terms of office of the present members of the judicial qualifications commission shall not be affected by this amendment.

Be It Further Resolved that in accordance with the requirements of section 101.161, Florida Statutes, the substance of the amendment proposed herein shall appear on the ballot as follows:

An amendment to section 12 of Article V of the State Constitution to permit the judicial qualifications commission to investigate and recommend to the supreme court the removal or reprimand of any justice or judge whose conduct, during term of office or otherwise occurring on or after November 1, 1966, demonstrates a present unfitness to hold office or warrants a reprimand, to permit the commission to adopt rules regulating its proceedings which rules may be repealed by general law enacted by majority vote of the membership of each house of the legislature, or by the supreme court, five justices concurring, to require all proceedings before the commission to be confidential until a recommendation is filed by the commission or unless the supreme court suspends a justice or judge as recommended by a two-thirds vote of the commission, then all proceedings shall be public, further permitting the commission access to all information from all executive, legislative, and judicial agencies, and requiring the commission to make available information for use in consideration of impeachment or suspension when requested by the speaker of the house of representatives or the governor, respectively.

—and passed as amended by the required constitutional three-fifths vote of the membership and was certified to the House.

The Reading Clerk called the roll and the vote was:

Yeas—33

Brantley	Gruber	Saunders	Ware
Childers	Johnston	Saylor	Weber
Deeb	Lane (31st)	Scarborough	Williams
de la Parte	Lane (23rd)	Sims	Wilson
Gallen	Lewis	Smathers	Winn
Gillespie	McClain	Stolzenburg	Zinkil
Glisson	Myers	Sykes	
Gordon	Pettigrew	Trask	
Graham	Poston	Vogt	

Nays—2

Henderson Peterson

The Honorable Mallory E. Horne, President May 14, 1974

I am directed to inform the Senate that the House of Representatives has passed as amended—

HB 3638

CS for CS for HB 1605

—and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representative MacKay—

HB 3638—A bill to be entitled An act relating to carrying capacity; adding subsections (5) and (6) to §23.0112 and amending §23.0114, Florida Statutes, 1973, to provide new def-

initions, procedures for preparation of planning elements and to delineate a consistency for comprehensive plans; providing an effective date.

—was read the first time by title and referred to the Committee on Governmental Operations.

By the Committees on Elections and Community Affairs and Representative Crabtree and others—

CS for CS for HB 1605—A bill to be entitled An act relating to county government recall; authorizing and providing procedures for the recall of elected officials of county governmental bodies by county electors; providing penalties; providing an effective date.

—was read the first time by title and referred to the Committee on Governmental Operations.

The Honorable Mallory E. Horne, President May 14, 1974

I am directed to inform the Senate that the House of Representatives has passed as amended HB 3504 and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representative Ogden and others—

HB 3504—A bill to be entitled An act relating to local government assistance; reenacting and amending part II of chapter 218, Florida Statutes, relating to revenue sharing; providing for trust funds; providing for eligibility and distribution; providing for apportionment; providing limitation on funds and for protection of bonds; providing for administration; providing conditions and procedures; providing an effective date.

—was read the first time by title and referred to the Committee on Ways and Means.

The Honorable Mallory E. Horne, President May 14, 1974

I am directed to inform the Senate that the House of Representatives has passed as amended—

**CS for CS for HB 1739 (cs) CS for HB 2884
HB 4050**

—and requests the concurrence of the Senate.

Allen Morris, Clerk

By the Committee on Elections and the Committee on Community Affairs and Representative Crabtree and others—

CS for CS for HB 1739 (cs)—A bill to be entitled An act relating to municipal and charter county government recall; authorizing and providing procedures for the recall of any member of the governing body of a municipality or charter county by the municipal or charter county electors; providing penalties; providing an effective date.

—was read the first time by title and referred to the Committee on Judiciary.

By the Committee on Environmental Protection and Representative Spicola and others—

CS for HB 2884—A bill to be entitled An act relating to local government; expressing the intent, scope, and purpose of the act; defining certain terms; requiring counties, municipalities, and certain other units of local government to prepare and adopt comprehensive plans to guide future development in the manner set out in this act; requiring the establishment of local land planning agencies; requiring local planning agencies to have responsibility for preparation of comprehensive plans and to recommend such plans to governing bodies; establishing required and optional elements of a comprehensive plan; requiring public participation in the planning process; providing procedures and setting out the role of the governing body for adoption and amendment of adopted comprehensive plans; requiring periodic evaluation and appraisal of adopted comprehensive plans; establishing the legal status and effect of adopted comprehensive plans and the status and effect of prior adopted comprehensive plans; relating adopted comprehensive plans to exercise of land regulatory authority; providing for the status

of adopted comprehensive plans in judicial proceedings; establishing a system of local planning assistance to units of local government; establishing a local planning assistance trust fund; providing formula for grant applications; providing for an annual report on financing and status of planning programs; creating a property rights study commission; providing for a chairman and members; providing commission duties and responsibilities; providing for severability; providing an effective date.

—was read the first time by title and referred to the Committees on Governmental Operations and Ways and Means.

By the Committee on Judiciary and Representative Johnson and others—

HB 4050—A bill to be entitled An act relating to affairs of decedents, missing persons, minors, incompetent persons and certain others; creating sections 731.101 through 731.303, 732.101 through 732.1010, 733.101 through 733.903, 734.101 through 734.202, 735.101 through 735.302 and 737.101 through 737.615, Florida Statutes; providing for the consolidation and revision of the law relating to wills and intestacy and the administration and distribution of estates of decedents, missing persons, minors, incapacitated and certain others; providing for the powers and procedures of the court concerned with the affairs of decedents and certain others; providing for the validity and effect of certain non-testamentary transfers and contracts; providing certain procedures to facilitate enforcement of testamentary and other trusts; creating sections 744.101 through 744.507, Florida Statutes; providing for guardianship of certain persons; providing for the powers and duties of a guardian and the court; providing for guardianship procedure; creating section 28.223, Florida Statutes; providing for recording probate records; creating section 709.08, Florida Statutes, providing for a power of attorney not affected by incompetence; repealing sections 731.01 through 731.37, sections 732.01 through 732.69, sections 733.01 through 733.54, sections 734.01 through 734.40, sections 735.01 through 735.15, sections 736.01 through 736.31, sections 737.01 through 737.28, sections 744.01 through 744.73, sections 745.01 through 745.33, and sections 746.01 through 746.17, Florida Statutes, 1973; relating to Florida probate law, small estates, miscellaneous probate provisions, trust accounting law, and Florida guardianship law; repealing sections 690.01 through 690.15, and 691.01 through 691.22, Florida Statutes, 1973, relating to the uniform principal and income law, uniform trust administration law and the charitable trust act; providing an effective date.

—was read the first time by title and placed on the calendar.

RECONSIDERATION

The motion by Senator Lane (31st) on May 15 that the Senate reconsider the vote by which—

HB 157(cs)—A bill to be entitled An act relating to public education; amending sections 228.041(9), 228.041(10), Florida Statutes, 1972 Supplement, relating to instructional personnel and administrative personnel, and sections 231.36(1), and 231.36(3) (a), Florida Statutes, 1972 Supplement, and adding paragraphs (f) and (g) to said subsection (3), relating to contracts with instructional staff; providing an effective date.

—passed as amended on May 15, was taken up and adopted; and the Senate reconsidered the vote.

Senator Lane (31st) moved the following amendment which was adopted by two-thirds vote:

Amendment 6—On page 2, line 13, strike the period (.) and insert: *except for the right to bargain collectively with employees of the school board.*

On motion by Senator Lane (31st), HB 157 (cs) as further amended was read by title, passed and certified to the House. The vote was:

Yeas—24

de la Parte	Graham	Lane (31st)	Myers
Gallen	Gruber	Lane (23rd)	Peterson
Gillespie	Henderson	Lewis	Pettigrew
Glisson	Johnston	McClain	Poston

Smathers	Trask	Weber	Winn
Sykes	Vogt	Williams	Zinkil

Nays—None

By unanimous consent Senators Sims and Childers were recorded as voting yea.

SPECIAL ORDER CALENDAR

SB 722—A bill to be entitled An act relating to alcoholism; amending §§396.072 and 396.102, Florida Statutes; providing for clarity in definitions; clarifying responsibilities of public safety officers; authorizing public safety officers to detain alcoholics in protective custody for designated periods in municipal or county jails or other detention facilities; requiring the initiation of treatment by the appropriate treatment resource; clarifying procedures regarding examination at the treatment resource; revising involuntary commitment procedures; authorizing hospitalization for mental illness as an alternative to treatment for alcoholism in appropriate cases; authorizing alternative mental health professionals to make the required examinations under Section 396.102, Florida Statutes; amending the effective date of Section 396.161, Florida Statutes, to provide that said section shall take effect January 1, 1975; providing an effective date.

—was taken up with pending Amendment 5 which was withdrawn.

Senator Lane (31st) moved the following amendments which were adopted:

Amendment 6—On page 3, lines 14-15, strike "~~by a physician~~" and insert: by a physician

Amendment 7—On page 3, line 15, strike "~~physician person~~" and insert: physician

Amendment 8—On page 5, line 28, strike "~~licensed physician mental health professional~~" and insert: licensed physician

Amendment 9—On page 5, line 30 and on page 6, line 1, strike "~~physician's mental health professional's~~" and insert: physician's

Amendment 10—On page 6, lines 7, 15-16, strike "~~physician mental health professional~~" and insert: physician

Amendment 11—On page 6, lines 17-18, strike "~~physician mental health professional~~" and insert: physician

On motion by Senator Myers, SB 722 as further amended was read the third time by title, passed and ordered engrossed. The vote was:

Yeas—28

de la Parte	Henderson	Peterson	Trask
Gallen	Johnston	Pettigrew	Vogt
Gillespie	Lane (31st)	Poston	Ware
Glisson	Lane (23rd)	Saunders	Weber
Gordon	Lewis	Smathers	Williams
Graham	McClain	Stolzenburg	Winn
Gruber	Myers	Sykes	Zinkil

Nays—None

By unanimous consent Senators Sayler, Childers and Sims were recorded as voting yea.

CS for SB 724—A bill to be entitled An act relating to school discipline; providing definitions; providing authority for school discipline; providing grounds and procedures for suspension or assignment to alternative programs; providing procedures for expulsion; providing for records; providing for a code of student rights and obligations; amending section 232.28, Florida Statutes, regarding the authority of bus drivers; repealing sections 232.26(1) and 232.27, Florida Statutes, relating to authority of principals and authority of teachers; providing an effective date.

—was taken up with pending amendment 1:

Senator Gallen moved the following amendment to Amendment 1 which was adopted:

Amendment 1a—On page 1, line 14, strike "suspension or expulsion" and insert: suspension, expulsion and reasonable corporal punishment

Amendment 1 as amended failed by the following vote:

Yeas—6

Deeb	Glisson	Stolzenburg	Wilson
Gillespie	McClain		

Nays—19

Brantley	Gruber	Lewis	Saunders
de la Parte	Henderson	Myers	Sykes
Firestone	Johnston	Peterson	Winn
Gordon	Lane (31st)	Pettigrew	Zinkil
Graham	Lane (23rd)	Poston	

Senator Gillespie moved the following amendment:

Amendment 2—On page 2, line 16, strike "corporal" and all of lines 17 through 25 through the period on line 25.

Amendment 2 was adopted by the following vote:

Yeas—20

de la Parte	Lane (23rd)	Scarborough	Vogt
Firestone	McClain	Sims	Ware
Gillespie	Plante	Smathers	Weber
Glisson	Poston	Stolzenburg	Wilson
Gruber	Sayler	Sykes	Zinkil

Nays—10

Gordon	Lane (31st)	Peterson	Winn
Graham	Lewis	Pettigrew	
Johnston	Myers	Williams	

Senator Gillespie moved the following amendment which was adopted:

Amendment 3—On page 3, line 11, strike "consult with" and insert: notify

Senator Gillespie moved the following amendment:

Amendment 4—On page 3, line 8, strike the period and insert: or any behavior which in the opinion of the principal disrupts the normal educational processes.

Amendment 4 failed by the following vote:

Yeas—14

Brantley	Johnston	Sims	Ware
Gallen	McClain	Smathers	Weber
Gillespie	Plante	Sykes	
Glisson	Scarborough	Vogt	

Nays—16

de la Parte	Gruber	Myers	Williams
Firestone	Lane (31st)	Peterson	Wilson
Gordon	Lane (23rd)	Poston	Winn
Graham	Lewis	Sayler	Zinkil

Senator Gillespie moved the following amendment:

Amendment 5—On page 4, strike lines 24 through 26

Senator Smathers moved the following substitute amendment which was adopted:

Amendment 6—On page 4, lines 15—18, strike on line 15, "; to inspect any documents" and all of lines 16 through 26 and insert: . The school board shall present written findings on the basis of facts presented at the hearings and make these available at cost upon request by the student, his parents or guardian

Senator Stolzenburg moved that debate on each pending amendment be limited to 5 minutes per amendment or 2½ minutes per side per amendment.

Senator Plante raised a point of order that debate could not be limited on an amendment not formally before the Senate and amendments are not before the Senate until they have been read. The chair ruled the point well taken and that motions should be limited to pending amendments.

RECONSIDERATION

The motion by Senator Barron on May 15 that the Senate reconsider the vote by which—

CS for SB 663—A bill to be entitled An act relating to quarter horse racing; amending section 550.33, Florida Statutes, by adding subsection (7); authorizing substitute races of horses registered with the International Arabian Horse Association, Apaloosa Horse Club, the Palomino Horse Breeders of America or The Jockey Club; limiting races to 12 daily; providing for examination of all such horses prior to racing; providing an effective date.

—passed on May 14, was taken up and adopted; and the Senate reconsidered the vote.

Senator Barron moved the following amendments which were adopted by two-thirds vote:

Amendment 1—On page 2, lines 4 and 9, following the word "horse" insert: *or harness*

Amendment 2—On page 1, line 4, strike "(;)" and insert: and harness racing;

On motion by Senator Barron, CS for SB 663 as amended was read by title, passed and ordered engrossed. The vote was:

Yeas—34

Barron	Gordon	Pettigrew	Vogt
Brantley	Graham	Plante	Ware
Childers	Gruber	Poston	Weber
Deeb	Henderson	Sayler	Williams
de la Parte	Lane (23rd)	Scarborough	Wilson
Firestone	Lewis	Sims	Winn
Gallen	McClain	Smathers	Zinkil
Gillespie	Myers	Stolzenburg	
Glisson	Peterson	Sykes	

Nays—1

Lane (31st)

Senator Lane (31st) moved that the rules be waived and the following bill be admitted for introduction notwithstanding the fact that the deadline for filing bills pursuant to Rule 4.4 had passed:

A memorial to the Congress of the United States, urging that the national railroad passenger corporation initiate service between Jacksonville, Florida and New Orleans, Louisiana.

The motion was referred to the Committee on Rules and Calendar.

The Senate resumed—

CS for SB 724—A bill to be entitled An act relating to school discipline; providing definitions; providing authority for school discipline; providing grounds and procedures for suspension or assignment to alternative programs; providing procedures for expulsion; providing for records; providing for a code of student rights and obligations; amending section 232.28, Florida Statutes, regarding the authority of bus drivers; repealing sections 232.26(1) and 232.27, Florida Statutes, relating to authority of principals and authority of teachers; providing an effective date.

Senator Gillespie moved the following amendment:

Amendment 7—On page 5, strike lines 8 through 17

Senator Ware moved the following substitute amendment which was adopted:

Amendment 8—On page 5, line 17, strike the period and insert: and shall be modified, approved or rejected by the board.

Senators Wilson and Ware offered the following amendment which was moved by Senator Wilson and adopted:

Amendment 9—On page 3, line 6, strike "or" before "smoking" and insert: , illegal possession or use of drugs or

Senator Myers moved the following amendment which was adopted:

Amendment 10—On page 3, line 30, strike "section 959.28" and insert: chapter 959

Senators Childers, Johnston, Sims, Weber, McClain and Deeb offered the following amendment which was moved by Senator Childers and adopted:

Amendment 11—On page 5, line 15, between the words "publications" and "assembly" insert: selection of school emblems, school mascots, team names, school songs and mottoes.

Senator Graham moved the following amendments which were adopted:

Amendment 12—On page 3, line 26, strike ", or superintendent to" and insert: or the superintendent, or

Amendment 13—On page 4, line 13, insert after "charges": by the superintendent

Senators Sims, Johnston, Childers and McClain offered the following amendment which was moved by Senator Sims:

Amendment 14—On page 5, line 18, strike all of section 9 and insert:

Section #9 No student will be bused further than the appropriate school nearest to his home.

Senator Weber moved the following amendment to Amendment 14:

Amendment 14a—After "appropriate" insert: (kindergarten, elementary, junior or senior high school)

On motion by Senator Williams, HB 1605 was withdrawn from the Committee on Governmental Operations by two-thirds vote and referred to the Committee on Judiciary.

On motion by Senator Williams, HB 3190 was withdrawn from the Committee on Governmental Operations by two-thirds vote and placed on the calendar.

By unanimous consent Senator Gruber was recorded as voting yea on the passage of HB 3273 and CS for SB 974 which passed the Senate May 14; yea on Amendment 22a to HB 2028 which was adopted on May 8 and nay on Amendment 34 to HB 2028 which failed of adoption on May 8; yea on Amendment 2 to CS for SB 270 and nay on Amendment 3 to CS for SB 270 which were adopted on April 15; and yea on the confirmation of the Governor's appointments on April 9.

The Journal of May 15 was corrected and approved.

CO-INTRODUCER

Senator Lane (31st) was recorded as a co-introducer of SB 828.

The hour of adjournment having arrived, a point of order was called and the Senate adjourned at 5:01 p.m. to convene at 9:00 a.m., May 17, 1974.